

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner _____
Group Art Unit _____

Attorney's
Docket
No. 60390-AZ-PCT-US/
JPW/GJG/JBC

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 31, 2004

22390 U.S. PTO
10/816329

033104

1 R:

This is a request for filing a _____ CONTINUATION

☒ DIVISIONAL _____ CONTINUATION-IN-PART application under

☒ 37 C.F.R. §1.53(b) _____ 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/728,229 filed on December 1, 2000 of

Arlindo L. Castelhamo, Bryan McKibben and David J. Witter
Inventor(s) for

PYRROLO [2,3d] PYRIMIDINE COMPOSITIONS AND THEIR USE

Title of Invention

1. ☒ Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. _____ A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27
_____ is enclosed.
_____ was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3. ☒ The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	8-20	=	0	X	9	18	= \$	\$ 0
Independent Claims	2-3	=	0	X	43	86	= \$	\$ 0
Multiple Dependent Claims Presented: _____ Yes <input checked="" type="checkbox"/> No					145	290	= \$	\$
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.					BASIC FEE		\$385	\$ 770
					TOTAL FEE		\$	\$770

Filing an application pursuant to this section expressly abandons the parent application.

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Filed: Herewith

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4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 770.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed .--
9. Sheet(s) of informal formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to OSI Pharmaceuticals, Inc.
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); and Gary J. Gershek (Reg. No. 39,992)

Applicants: Arlindo L. Castelhana et al.
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- (a) _____ The power appears in the original papers in the prior application.
- (b) X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15. X Also enclosed Express Mail Certificate of Mailing No.

EV 325 703 547 US, dated March 31, 2004

16. _____ I hereby verify that the attached papers are a true copy of prior application Serial No. _____ as originally filed on _____.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 31, 2004

Date

Signature

Gary J. Gershtik
John P. White, Reg. No. 28,678
Gary J. Gershtik, Reg. No. 39,992

INVENTOR(S)

ASSIGNEE OF COMPLETE INTEREST

 X
ATTORNEY OR AGENT OF RECORD

FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Arlindo L. Castelhana et al.
Serial No.: Not Yet Known (divisional of U.S. Serial No.
09/728,229, filed December 1, 2000)
Filed : Herewith
Title : PYRROLO [2,3d] PYRIMIDINE COMPOSITIONS AND THEIR
USE

1185 Avenue of the Americas
New York, New York 10036
March 31, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP PATENT APPLICATION

SIR:

EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION


"Express Mail" mailing label number: EV 325 703 547 US

Date of Deposit: March 31, 2004

I hereby certify that this paper or fee is being deposited to the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Printed Name: T. 1500A

Respectfully submitted,


John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 278-0400